

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:13-cv-129-RJC**

GUY T. PENDERGRASS,)	
)	
Plaintiff,)	
)	
vs.)	
)	
NORTH CAROLINA DEPARTMENT)	<u>ORDER</u>
OF PUBLIC SAFETY, et al.,)	
)	
)	
Defendants.)	
_____)	

THIS MATTER is before the Court on Plaintiff’s Motion for Judicial Order, (Doc. No. 49). Plaintiff seeks an order from this Court instructing the U.S. Marshal to use reasonable efforts to locate and obtain service on Defendants Cross, Medlin, Rizaldi, and Walrath.¹ The Court will grant the motion. See Greene v. Holloway, 210 F.3d 361 (4th Cir. 2000) (where the district court dismissed a defendant in a Section 1983 action based on the prisoner’s failure to provide an address for service on a defendant who no longer worked at the sheriff’s office, remanding so the district court could “evaluate whether the marshals could have served [Defendant] with reasonable effort”).

IT IS, THEREFORE, ORDERED that:

1. Plaintiff’s Pro Se Motion for Judicial Order, (Doc. No. 49), is **GRANTED**. The U.S. Marshal shall use all reasonable efforts to locate and obtain service on Defendants Cross, Medlin, Rizaldi, and Walrath. If the U.S. Marshal is unable to

¹ On September 26, 2014, the U.S. Marshal returned unexecuted summonses as to these Defendants.

locate and obtain service on these Defendants, the U.S. Marshal shall inform the Court of the efforts made in attempting to locate Defendants Cross, Medlin, Rizaldi, and Walrath.

Signed: November 24, 2014

A handwritten signature in cursive script, reading "Robert J. Conrad, Jr.", written over a horizontal line.

Robert J. Conrad, Jr.
United States District Judge

